

4:17-cv-03041-RGK-PRSE Doc # 18 Filed 09/05/17 Page 1 of 5 Page ID # 151  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LATITUS R. MENYWEATHER  
PLAINTIFF

VS.

CASE NO.  
4:17cv3041  
Amended Complaint

NEBRASKA DEPT. OF CORRECTIONS  
SCOTT FRAKES, Director; RAUDY T. KOHL  
Medical Director; DR. KATHLEEN OGDEN  
O.C.C. Health Coordinator; PEGGY ANTLEY,  
P.A.C. O.C.C. Physician Assistant; BARB  
LEWIEN, O.C.C. Warden; MARGARET  
ANTLEY, P.A.; DR. DAVID SHRAD  
Defendants

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
SEP -5 PM 2:18  
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Plaintiff filed a Complaint and a Supplement to that Complaint on March 27, 2017. Plaintiff has been given leave to proceed in forma pauperis. Plaintiff follows initial review with this motion of Amended Complaint, which claims on which relief may be granted

### Summary of Complaint

Plaintiff is a prisoner currently confined at Lincoln Correctional Center ("L.C.C.") Plaintiff names Scott Frakes Director of the Nebraska Department of Correctional Services ("NDCS"). Barb Lewien Warden of the Omaha Correctional Center ("O.C.C.") Multiple medical personnel employed by NDCS, and any known and unknown NDCS employees as official capacity. Plaintiff sues All other Defendants in their official and individual capacities. Plaintiff seeks relief



On October 21 2016 Dr. David Shrad employed at O.C.C., sectioned one of Plaintiff's teeth (tooth #14) into three parts, but he was unable to remove any of the tooth parts. Dr Shrad broke Plaintiff's tooth and didn't place Plaintiff on anti biotic for the infected tooth and Dr Shrad requested a referral for Plaintiff to see an Oral Surgeon "A.S.A.P." for complete removal. Dr. Mustad approved referral. Plaintiff became sick with fever, vomited blood and was in pain the entire ten day he waited for oral surgeon, with out medication prescribed by Dr. Shrad.

On November 3, 2016 Dr. Thomson an outside specialist, performed oral surgery on tooth #14 and Plaintiff felt better. However the surgery. He was given antibiotics and an oral mouth wash. Plaintiff claims the infection returned thereafter, but medical staff at O.C.C. denied him treatment for three months because they did not believe him.

On December 8, 2016 Plaintiff met with Dr. Baker, A mental health practitioner employed at N.D.C.S., based on the opinion of medical staff that Plaintiff is delusional and mentally ill. On December 28, 2016 on the orders of Dr. Baker, Plaintiff was transferred from O.C.C. to the medical clinic at the Diagnostic and Evaluation Center (D.E.C.) and placed in a suicide cell for observation. Plaintiff states that while D.E.C., x-rays confirmed that he had an infection in his mouth. Dr. Nygen prescribed Plaintiff an antibiotic and referred him to speak with Dr. Husted. Dr. Husted examined a lump on his temple, and on his back a promise Plaintiff O.C.C. would fix his mouth



## Amended Complaint

Plaintiff filed complaint to sue Director Scott Frakes for the amount of \$50,000 dollars <sup>5</sup>

Plaintiff filed complaint to sue Medical Director Randy T. Kohl for the amount of \$50,000 dollars

Plaintiff filed complaint to sue O.C.C. Health Coordinator DR. Kathleen Ogden for the amount of \$10,000 dollars

Plaintiff filed complaint to sue O.C.C. Physician Assistant Peggy Antley for the amount of \$10,000 dollars.

Plaintiff filed complaint to sue O.C.C. Warden Barb Lewien for the amount of \$10,000 dollars

Plaintiff filed complaint to sue ~~RA~~ O.C.C. P.A. Margaret Antley.

Plaintiff filed complaint to sue O.C.C.  
dentist Dr. David Shrad for the amount  
of \$10000 dollars.

Inmate Name \_\_\_\_\_  
Inmate Name Leotis Meryweather  
P.O. Box 22800, Apartment of  
Lincoln, NE 68542-2800  
Notice: This correspondence was mailed from an  
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